

**WAUKESHA COUNTY  
MINUTES OF THE PARK AND PLANNING COMMISSION  
ADMINISTRATION CENTER, ROOM AC 255/259  
THURSDAY, JULY 2, 2009, 1:00 P.M.**

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**CALL TO ORDER**

Pat Haukohl, Chairperson, called the meeting to order at 1:00 p.m.

Commission

Members Present:	Pat Haukohl	Bob Peregrine	Jim Siepmann
	Gary Goodchild	Walter Kolb	Bill Mitchell

Commission

Members Absent: Bonnie Morris

Staff

Members Present: Richard L. Mace, Planning and Zoning Division Manager  
Kathy Brady, Secretary Supervisor

Guests Present:	Bart Stubblefield	Dan Hyland	Donna W. Seeker
	Jim Derrick	Jim Frutchey	

**CORRESPONDENCE:** None.

**MEETING APPROVAL:** None.

**MINUTES** None.

**PUBLIC COMMENT**

Chairperson Haukohl asked if anyone from the audience wished to address the Commission? With no public comment, she moved to the next item on the agenda.

**SCHEDULED MATTER**

- **1:05 p.m. Report of Nominating Committee and Election of Officers for the Park and Planning Commission**

The Nominating Committee recommended the following Commission members as officers for the July 2009 to July 2010 term:

<b>Chairperson</b>	<b>Bill Mitchell</b>
<b>Vice-Chairperson</b>	<b>Bob Peregrine</b>
<b>Secretary</b>	<b>Bonnie Morris</b>

Chairperson Haukohl asked if there were any other nominations, and there were none.

*After discussion, Mrs. Haukohl moved, seconded by Mr. Siepmann and carried unanimously to approve the officers (listed above) recommended by the Nominating Committee.*

• **SCZ-819B (Sunset Genesee, LLC) Town of Genesee, Section 12 (B-3 General Business, A-2 Rural Home, A-B Agricultural Business and the A-E Exclusive Agricultural Conservancy Districts to the B-3 General Business and the C-1 Conservancy Districts and Revisions to Previously Imposed Conditions of Approval)**

Mr. Mace presented the “Staff Report and Recommendation” dated July 2, 2009, and made a part of these Minutes. He pointed out the location of the property, north of the intersection of C.T.H. “DE” and the Wisconsin Railroad Company right-of-way in the Town of Genesee on the aerial photograph. He indicated the petitioner is requesting to amend the existing conditional zoning of the B-3 General Business District to allow several additional business uses on the property. In addition, the petitioner is proposing to amend areas from the A-2 Rural Home and the A-B Agricultural Business District to the Conditional B-3 General Business District.

Mr. Mace indicated the property contains two (2) rented duplexes, a single family (rented) residence and several businesses which are located in the outbuildings on the property (cabinet maker, electrical contractor and an auto body workshop). Due to the age and uncertainty of suitability of the septic systems, the petitioner is proposing to remove the two (2) duplexes within five (5) years. An existing holding tank installed without permits sometime in the past has been approved. Mrs. Haukohl asked if the conservancy/wetlands are sufficiently being protected from the chemicals used in the painting business? Mr. Derrick (petitioner) indicated that there is not a lot of painting being done on the property and he carefully monitors the businesses on the property. The owner of the auto body painting business works part-time and only two (2) vehicles are painted each month. There are four (4) separate septic systems and a holding tank (which serves the electrical contracting business – bathroom and sink, the barn to the south – sink, and the large building to the east – sink). He added, the cabinet business shares the bathroom facilities with the electrical contracting business and the auto body business has no plumbing facilities. Mrs. Haukohl said the rezone is being requested to allow all of the above businesses and residences. Mr. Mace clarified it will expand the current uses allowed and all areas that are not wetlands will be rezoned to the Conditional B-3 General Business District.

Mrs. Haukohl asked if there was a Driveway Agreement for accessing the adjacent property to the north? Mr. Derrick replied “Yes, there is an easement.” Mr. Siepmann suggested a condition be added regarding a private driveway easement agreement being submitted to service the single-family residence to the north. The Commission agreed.

*After discussion, Mr. Siepmann moved, seconded by Mr. Peregrine, and carried unanimously for approval, as conditioned, in accordance with the “Staff Report and Recommendation” with an added Condition No. 8 to read as follows:*

- 8. The petitioner shall submit a private driveway easement agreement to provide access for the property to the north.***

*The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.*

• **CU-1503 (Steven and Donna Seeker) Town of Genesee, Section 1**

Mr. Mace presented the “Staff Report and Recommendation” dated July 2, 2009, and made a part of these Minutes. He pointed out the location of the property, at S19 W28818 Price Court in the Town of Genesee on the aerial photograph and indicated the request is for land altering activities associated with leveling a portion of property between an existing private sewage system and an old road bed.

Mr. Mace indicated the property is located in the Parker's Grove Subdivision. The petitioner is proposing a minimal amount of earth altering activity to blend the grades between two areas on the property. No trees would be removed and the mound system would not be affected with the project. Mrs. Haukohl questioned why the wording "if necessary" is included in Condition No. 5 regarding the requirement of a Storm Water Permit and suggested it be removed? Mr. Mace responded, that there will be in excess of 3,000 sq. ft. of area being disturbed. The petitioner would be required to obtain a Storm Water Permit and the wording could be removed. The Commission agreed.

*After discussion, Mrs. Haukohl moved, seconded by Mr. Peregrine, and carried unanimously for approval, as conditioned, in accordance with the "Staff Report and Recommendation" with a change to Condition No. 5 which will now read:*

- 5. A Storm Water Permit, which includes the required implementation of erosion control, must be issued from the Waukesha County Land Resources Division.*

*The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.*

• **CU-415B (Reformation Evangelical Lutheran Church) Town of Genesee, Section 20**

Mr. Mace presented the "Staff Report and Recommendation" dated July 2, 2009, and made a part of these Minutes. He pointed out the location of the property, at S39 W32887 C.T.H. "D" in the Town of Genesee on the aerial photograph and indicated the request is for approval of a free standing entrance sign located on C.T.H. "D" and a free standing sign at the intersection of C.T.H. "D" and C.T.H. "E".

There was discussion regarding the proposed message board, the brightness of the message, if the message would flash on/off and scroll and how it may be a distraction to drivers. Mr. Stubblefield (representing the sign company), stated that the brightness of the sign can be controlled by a sensor at different levels throughout the day/night. He explained, the proposed sign would not have flashing or scrolling messages. Only stationary message boards containing letters and numbers would be utilized and the message may switch every seven (7) to ten (10) seconds. Mr. Siepmann suggested wording be added to Condition No. 4 stating there will be no scrolling or flashing numbers or letters on the sign and the message may switch no less than every seven (7) seconds. The Commission agreed.

*After discussion, Mr. Siepmann moved, seconded by Mr. Peregrine, and carried unanimously for approval, as conditioned, in accordance with the "Staff Report and Recommendation" with a change to Condition No. 4 which will now read:*

- 4. An updated sign rendering, identifying the correct type of illumination, shall be submitted to the Waukesha County Planning and Zoning Division, prior to the issuance of a Zoning Permit for the signs. The actual message may switch no less than every seven (7) seconds with no scrolling or flashing of numbers or letters.*

*The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.*

• **PO-09-GNT-18 (Reformation Evangelical Lutheran Church) Town of Genesee, Section 20**

Mr. Mace presented the “Staff Report and Recommendation” dated July 2, 2009, and made a part of these Minutes. He stated the request was related to the previous Conditional Use CU-415B.

*After a brief discussion, Mrs. Haukohl moved, seconded by Mr. Siepmann, and carried unanimously for approval, as conditioned, in accordance with the “Staff Report and Recommendation” with a change to Condition No. 4 which will now read:*

4. *An updated sign rendering, identifying the correct type of illumination, shall be submitted to the Waukesha County Planning and Zoning Division, prior to the issuance of a Zoning Permit for the signs. The actual message may switch no less than every seven (7) seconds with no scrolling or flashing of numbers or letters.*

*The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.*

• **(Golden Cedar Lane Road Reduction) Town of Summit, Section 30**

Mr. Mace presented the “Staff Memorandum” dated July 2, 2009, and made a part of these Minutes. He pointed out the location of Golden Cedar Lane in the Town of Summit on the aerial photograph and indicated the request is to reduce the established road right-of-way width for Golden Cedar Lane from 66’ to 49.5’ and (west) Golden Cedar Lane from 66’ to 20’.

Mr. Mace indicated a property owner on Golden Cedar Lane is proposing to replace an existing detached garage with a new detached garage on his property. The proposed garage location would be within the established right-of-way of Golden Cedar Lane. The property owner requested Town approval to reduce the established right-of-way width from 66’ to 49.5’. On June 4, 2009, the Town of Summit Board approved the request with a specific motion to allow the remaining 17’ to be added to the east side of the existing platted right-of-way because many of the detached garages along Golden Cedar Lane are located within the established right-of-way. The property located on the east side of Golden Cedar Lane is currently being farmed and occupied by one property owner. Mrs. Haukohl expressed concerns regarding the property owner to the east (if he decided to develop his property in the future) having to dedicate an additional 17’ of his land. Mr. Siepmann added that it is not uncommon for developers to be required to dedicate more right-of-way on adjacent roads. Mr. Mace explained the property owner to the east is not being required to dedicate the entire 33’ (only 17’) of right-of-way, because the Town reduced the right-of-way width to 49.5’. Mrs. Haukohl asked if the property owner to the east was informed of the Town’s decision? Mr. Mace replied, that he did not think so because a public hearing was not held and none of the other adjacent property owners were notified. Mr. Siepmann added the request went before the Summit Town Board, not the Plan Commission. Mr. Mace noted, that in addition, the Town approved a reduction in the established right-of-way for (west) Golden Cedar Lane from 66’ to 20’ which serves two (2) lots (one property owner).

*After discussion, Mr. Kolb moved, seconded by Mr. Goodchild, and carried unanimously for approval, in accordance with the “Staff Memorandum”. The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.*

- **(North Lake Drive Road Reduction) Town of Oconomowoc, Section 25**

Mr. Mace presented the “Staff Memorandum” dated July 2, 2009, and made a part of these Minutes. He pointed out the location of North Lake Drive in the Town of Oconomowoc on the aerial photograph and indicated the request is to reduce the width of the established road right-of-way for a portion of North Lake Drive from 66 ft. to 50 ft. and 66 ft. to 58 ft.

Mr. Mace explained that the established road right-of-way width for North Lake Drive between the northwest corner of Parcel B of CSM No. 78 and the intersection of Lake Drive and Road H will be reduced from 66’ to 50’ with the exception of where North Lake Drive abuts the Westshore Subdivision. In addition, where North Lake Drive abuts the Westshore Subdivision between the northwest corner of Parcel B of CSM No. 78 and the intersection of Lake Drive and Road H, will be reduced from 66’ to 58’. The reduction will allow property owners additional square footage of property and make compliance with the floor area ratio and open space provisions of the Waukesha County Shoreland and Floodland Protection Ordinance less difficult.

*After discussion, Mr. Siepmann moved, seconded by Mr. Peregrine, and carried unanimously for approval, in accordance with the “Staff Memorandum”. The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.*

- **(WDOT/Eugene Rezach) Town of Genesee, Section 34**

Mr. Mace presented the “Staff Memorandum” dated July 2, 2009, and made a part of these Minutes. He pointed out the location of the property in Section 34 of the Town of Genesee on the aerial photograph and indicated the request is for approval to allow an agricultural outbuilding as the principal building on the property (Sec 3.04 (1) of the Waukesha County Zoning Code).

Mr. Mace explained the State intends to acquire approximately 2.5 acres (including the residence, and several outbuildings) of the Rezach property for the S.T.H. 83 reconstruction project. Mr. Rezach plans to rebuild one of the farm buildings for the storage of farm machinery. As long as the property is used as an agriculture use and is 35+ acres in size, the outbuilding could be allowed without a primary residence pursuant to the ordinance mentioned above. This particular request requires Town and County Plan Commission approvals. The Waukesha County Park and Planning Commission is hearing the matter prior to the Town in order to expedite the request. The Planning and Zoning Division Staff is recommending approval of the request, conditioned upon compliance with any requirements the Town of Genesee Plan Commission may place on their review and approval at their upcoming meeting

*After discussion, Mrs. Haukohl moved, seconded by Mr. Goodchild, and carried unanimously for approval, as conditioned, in accordance with the “Staff Memorandum”. The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.*

- **CU-835E (Morningstar Golfers Club) Town of Vernon, Section 8**

Mr. Mace presented the “Staff Memorandum” dated July 2, 2009, and made a part of these Minutes. He pointed out the location of the property at S77 W26285 Prairieside Drive in the Town of Vernon on the aerial photograph and stated the Commission is being asked to determine whether the expansion of the deck on the clubhouse building can be permitted through the Plan of Operation process or whether it requires an amendment to the Conditional Use Permit.

Mr. Mace indicated the new deck expansion would be located on the west side of the existing clubhouse and will tie into the existing deck. Mr. Goodchild asked if the Commission is to determine whether or not the new deck is a substantial change to the Conditional Use Permit? Mr. Mace replied, "Yes." He indicated the Planning and Zoning Division Staff does not feel the new deck is a substantial change and could be handled through the Plan of Operation process. The Commission agreed.

***After discussion, Mr. Goodchild moved, seconded by Mr. Peregrine, and carried unanimously to allow the deck expansion through the Plan of Operation process only, in accordance with the "Staff Memorandum". The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.***

On behalf of the Commission, Mr. Siepmann thanked Mrs. Haukohl for serving as Chairperson for the past two years. He noted her time and efforts as Chairperson were greatly appreciated.

**ADJOURNMENT**

***With no further business to come before the Commission, Mr. Kolb moved, seconded by Mr. Siepmann to adjourn at 2:10 p.m.***

Respectfully submitted,

Bonnie Morris  
Secretary

BM:kab